

Dentists.

RELATES TO:

STATUTORY AUTHORITY:

NECESSITY, FUNCTION, AND CONFORMITY: KRS XXX.XXX requires the board to promulgate administrative regulations relating to requirements and procedures for licensure, renewal and licensure by credentials for dentists. This administrative regulation establishes those requirements and procedures.

Section 1. General Licensure Requirements. An applicant desiring licensure in the Commonwealth shall at a minimum:

- (1) Understand, read, speak, and write the English language with a comprehension and performance level equal to at least the ninth grade of education, otherwise known as Level 4, verified by testing as necessary;
- (2) Submit a completed and signed "Application for Dental Licensure";
- (3) Pay the fee required by administrative regulation;
- (4) Not be currently subject to disciplinary action pursuant to KRS Chapter XXX which would prevent licensure;
- (5) Complete the requirements of KRS 214.615 (i);
- (6) Complete and pass the jurisprudence exam;
- (7) Have and maintain certification in cardiopulmonary resuscitation (CPR);
- (8) Submit to a criminal background check through the Administrative Office of the Courts in Kentucky, from the state(s) of residence for the last 5 years, or by fingerprint;
- (9) Provide verification of any license to practice dentistry held in any state or jurisdiction;
- (10) Be a graduate of a Commission on Dental Accreditation (CODA) accredited dental school or college or dental department of a university;
- (11) Have successfully completed Part I and Part II of the National Board Dental Examination (written theoretical) conducted by the Joint Commission on National Dental Examinations; and
- (12) Provide an explanation for any positive returns on a query of the National Practitioners Database Reporting.

Section 2. Licensure by Examination Requirements.

- (1) An individual desiring initial licensure as a dentist by examination within two (2) years of fulfilling all of the requirements of his dental education shall:
 - (a) Complete all of the requirements listed in section (1) of this administrative regulation; and
 - (b) Successfully complete prior to July 15, 2015, any one of the following regional clinical examinations within three (3) tries:
 1. The examination of the Council of Interstate Testing Agencies provided that the candidate also successfully completes an additional CSW Computer Simulations examination;
 2. The examination of the Central Regional Dental Testing Services, Inc. provided that the candidate also successfully completes an additional CSW Computer Simulations examination;

3. The examination of the Northeast Regional Board, provided that the candidate also successfully completes an additional CSW Computer Simulations examination;
 4. The examination of the Southern Regional Testing Agency, Inc.; or
 5. The examination of the Western Regional Testing Association.
- (c) After July 15, 2015, the Board will only accept candidates who have successfully completed a nationalized clinical exam which requires a candidate to obtain a score of seventy-five (75) percent or higher on each individual section within three (3) tries.
- (2) An individual desiring initial licensure as a dentist by examination more than two (2) years but less than five (5) years after fulfilling all of the requirements of his dental education shall:
- (a) Complete all of the requirements listed in subsection (1) of this section of this administrative regulation; and
 - (b) Hold a license to practice dentistry in good standing in another state or territory of the United States or the District of Columbia; or
 - (c) If the applicant does not hold a license to practice dentistry in good standing, complete a Board approved refresher course prior to receiving a license to practice dentistry in the Commonwealth of Kentucky.
- (3) An individual desiring initial licensure as a dentist by examination more than five (5) years after fulfilling all of the requirements of his dental education and who does not qualify to apply for licensure by credentials shall:
- (a) Complete all of the requirements listed in section (1) of this administrative regulation;
 - (b) Successfully complete within the five (5) years prior to application a clinical examination approved in paragraph (b) or (c) of subsection (1) of this section of this administrative regulation; and
 - (c) Hold a license to practice dentistry in good standing in another state or territory of the United States or the District of Columbia; or
 - (c) If the applicant does not hold a license to practice dentistry in good standing, complete a Board approved refresher course prior to receiving a license to practice dentistry in the Commonwealth of Kentucky.
- (4) An applicant who has taken the clinical examination three (3) times and failed to achieve a passing score shall not be allowed to sit for the examination again until he has completed and passed a remediation plan approved by the board.
- ~~(3) An applicant who has not been licensed in another jurisdiction within two years of his date of graduation shall complete and pass a refresher course approved by the board.~~

Section 3. Licensure by Credentials Requirements. An individual desiring initial licensure as a dentist by credentials shall:

- (1) Complete all of the requirements listed in section (1) of this administrative regulation;
- (2) Provide proof of having passed a state, regional, or national clinical exam used to determine clinical competency in a state or territory of the United States or the District of Columbia; and
- (3) Provide proof that, for the five (5) consecutive years immediately preceding the filing of his application, he has been engaged in the active practice of dentistry, provided that

he was legally authorized to practice dentistry in a state or territory of the United States or the District of Columbia and further provided that his qualifications for such authorization were equal to or higher than those of this state. ~~Actively engaging in the teaching of dentistry shall be considered actively engaged in the practice of dentistry.~~

Section 4. Student Limited Licenses.

- (1) An individual desiring a student limited license shall:
 - (a) Complete all of the requirements listed in section (1) of this administrative regulation with the exception of (10) and (11);
 - (b) Provide a letter from the Dean or Program Director of the Dental School stating his acceptance into a post-doctoral or residency program and the expected date of completion;
 - (c) Submit a signed “Statement Regarding Student Licensure Limitations”; and
 - (d) Submit an official final transcript of his dental coursework with degree posted.
- (2) An individual licensed under this section shall only practice dentistry in conjunction with programs of the dental school where the individual is a student and may only provide professional services to patients of these programs.
- (3) Licenses issued under this section shall be renewed with all other dental licenses issued by the board and shall automatically expire upon the termination of the holder’s status as a student.
- (4) Programs enrolling individuals holding a student limited license shall notify the board in writing of the date the student graduates from or exits the program.
- (5) Nothing in this section shall prohibit:
 - (a) Students from performing dental operations under the supervision of competent instructors within the dental school, college, or department of a university or private practice facility approved by the board. The board may authorize the students of any dental college, school, or department of a university to practice dentistry in any state or municipal institution or public school, or under the board of health, or in a public clinic or a charitable institution. No fee shall be accepted by the student beyond the expenses provided by the stipend;
 - (b) Students shall be at all times under the direct supervision of a dentist licensed in this state, who is an instructor of the institution at which they are studying; and
 - (c) Volunteer health practitioners providing services under KRS 39A.350 to 39A.366.

Section 5. Faculty Limited Licenses.

- (1) An individual desiring a faculty limited license shall:
 - (a) Complete all of the requirements listed in section (1) of this administrative regulation with the exception of (10) and (11);
 - (b) Provide a letter from the Dean or Program Director of the Dental School showing a faculty appointment with one (1) of the Commonwealth’s dental schools;
 - (c) Submit a signed “Statement Regarding Faculty Licensure Limitations”; and
 - (d) Submit an official final transcript of his dental coursework with degree posted.
- (2) An individual licensed under this section shall only practice dentistry in conjunction with programs of the dental school where the individual is a faculty member and may only provide professional services to patients of these programs.

(3) Licenses issued under this section shall be renewed with all other dental licenses issued by the board and shall automatically expire upon the termination of the holder's status as a faculty member.

(4) Programs employing individuals holding a faculty limited license shall notify the board in writing of the date the licensee exits the program.

Section 6. Licensure of Foreign Trained Dentists. An individual desiring licensure who is a graduate of a non-CODA accredited dental program shall:

(1) Pass the "Test of English as a Foreign Language" with a score of 650 on the paper-based examination or a score of 116 on the internet-based examination, if English is not the applicant's native language;

(2) Submit a completed and signed "Application for Dental Licensure";

(3) Pay the fee required by administrative regulation;

(4) Not be currently subject to disciplinary action pursuant to KRS Chapter XXX which would prevent licensure;

(5) Complete the requirements of KRS 214.615 (i);

(6) Complete and pass the jurisprudence exam;

(7) Have and maintain certification in cardiopulmonary resuscitation (CPR);

(8) Submit to a criminal background check through the Administrative Office of the Courts in Kentucky, from the state(s) of residence for the last 5 years, or by fingerprint;

(9) Provide verification of any license to practice dentistry held in any state or jurisdiction;

(10) Have completed two (2) years post-graduate training in a CODA accredited general dentistry program;

(11) Submit one (1) letter of recommendation from the program director of each training site;

(12) Have successfully completed Part I and Part II of the National Board Dental Examination (written theoretical) conducted by the Joint Commission on National Dental Examinations within the five (5) years preceeding application for licensure;

(13) Have successfully completed within the five (5) years prior to application a clinical examination approved in paragraph (b) or (c) of subsection (1) of section (2) of this administrative regulation; and

(14) Provide an explanation for any positive returns on a query of the National Practitioners Database Reporting.

Section 7. Charitable Limited Licenses.

(1) An individual desiring a charitable limited license shall:

(a) Understand, read, speak, and write the English language with a comprehension and performance level equal to at least the ninth grade of education, otherwise known as Level 4, verified by testing as necessary;

(b) Submit a completed and signed "Application for Charitable Dental Licensure";

(c) Not be subject to disciplinary action pursuant to KRS XXX.XXX which would prevent licensure;

(d) Have a license to practice dentistry in good standing in another state; and

(e) Provide an explanation for any positive returns on a query of the National Practitioners Database Reporting.

(2) Individuals licensed under this section shall:

- (a) Work only with charitable entities registered with the Cabinet for Health and Family Services who have met the regulatory requirements of the board;
- (b) Only perform procedures typically performed which must be completed within the duration of the charitable event;
- (c) Be eligible for the provisions of medical malpractice insurance procured under KRS 304.40-075;
- (d) Perform these duties without expectation of compensation or charge to the individual, and without payment or reimbursement by any governmental agency or insurer; and
- (e) Have a charitable limited license which will be good for two (2) years and expire during the regular dental renewal cycle.

Section 8. Specialty Limited Licenses. An individual desiring initial licensure as a specialist as defined by (definitions statute) shall:

- (1) Submit a completed and signed “Application for Specialty Licensure”;
- (2) Pay the fee required by administrative regulation;
- (3) Hold an active Kentucky license to practice general dentistry prior to being certified as a specialist in this state; and
- (4) Submit satisfactory evidence of completing a CODA-accredited graduate or postgraduate specialty program study in graduate or postgraduate courses after graduation from a dental school.

Section 9. Minimum Continuing Education Requirements.

- (1) An individual desiring renewal of an active dental license shall complete thirty (30) hours of continuing education which relates to or advances the practice of dentistry and would be useful to the licensee in his practice.
- (2) Of the thirty (30) required hours, a minimum of twenty (20) shall be Type 1 continuing education hours and a maximum of ten (10) shall be Type 2 continuing education hours.
- (3) Type 1 continuing education hours shall include course content comprising:
 - (a) Competency in treating patients who are medically compromised or who experience medical emergencies during the course of dental treatment;
 - (b) Knowledge of pharmaceutical products and the protocol of the proper use of medications;
 - (c) Competence to diagnose oral pathology;
 - (d) Awareness of currently accepted methods of infection control;
 - (e) Basic medical and scientific subjects including, but not limited to, biology, physiology, pathology, biochemistry, and pharmacology;
 - (f) Clinical and technological subjects including, but not limited to, clinical techniques and procedures, materials, and equipment; or
 - (g) Subjects pertinent to patient management, safety, and oral healthcare.
- (4) Type 2 continuing education hours shall consist of courses which relate to or advance the practice of dentistry and would be useful to the licensee in his practice but which do not meet the content requirements for Type 1 continuing education hours.

(5) A minimum of ten (10) Type 1 hours shall be taken in a live classroom presentation format. A maximum of ten (10) Type 1 hours and ten (10) Type 2 hours may be taken online, via correspondence, or through the volunteer of clinical charitable dentistry which meets the requirements of KRS xxx.xxx.

Section 10. Renewal Requirements. An individual desiring renewal of an active dental license shall:

- (1) Submit a completed and signed “Application for Renewal of Dental Licensure”;
- (2) Pay the fee required by administrative regulation;
- (3) Maintain without lapse CPR certification which meets or exceeds the guidelines set forth by the American Heart Association;
 - (a) An online CPR course which does not require a manikin-based demonstration of skill shall not be accepted.
- (4) Meet the requirements of KRS 214.615(i); and
- (5) Meet the continuing education requirements as outlined in Section 9 of this administrative regulation except in the following cases:
 - (a) If a hardship waiver has been submitted to the board more than two (2) weeks prior to the last regularly scheduled board meeting before the expiration of the individual’s license and that hardship waiver has been approved by the board;
 - (b) If the licensee graduated in the first year of the renewal biennium, in which case he shall complete one half of the hours as outlined in Section 9 of this administrative regulation; and
 - (c) If the licensee graduated in the second year of the renewal biennium, in which case he shall not be required to complete the continuing education requirements outlined in Section 9 of this administrative regulation.

Section 11. Retirement of a License.

- (1) An individual desiring retirement of a dental license shall submit a completed and signed “Retirement of License Form”, which must be postmarked ~~by~~ on or before December 31 of the year his license expires.
- (2) Upon receipt of this form, the board will send written confirmation of retirement to the last known address of the licensee.
- (3) No individual may retire a license that has pending disciplinary action against it.
- (4) All retirements shall be effective December 31 of the year the license expires.

Section 12. Reinstatement of a License.

- (1) An individual desiring reinstatement of a retired dental license shall:
 - (a) Submit a signed and completed “Application to Reinstate a Dental License”;
 - (b) Pay the fee required by administrative regulation;
 - (c) Show proof of being certified in CPR;
 - (d) Provide current verification of any license to practice dentistry held in any state or jurisdiction;
 - (e) Submit to a criminal background check through the Administrative Office of the Courts in Kentucky, from the state(s) of residence for the last 5 years, or by fingerprint; and

- (f) Provide a written explanation for any positive returns on a query of the National Practitioners Database Reporting.
- (2) If an individual is reinstating a license that was retired within the two (2) consecutive years immediately preceding the filing of his application, he shall provide proof of having met the continuing education requirements as outlined in Section 9 of this administrative regulation within those two (2) years.
- (3) If the applicant has not actively practiced dentistry in the two (2) consecutive years immediately preceding the filing of his application, he shall complete and pass a refresher course approved by the board.
- (4) If a license is reinstated in the first year of a renewal biennium, the licensee shall complete all of the continuing education requirements as outlined in Section 9 of this administrative regulation prior to the renewal of his license.
- (5) If a license is reinstated in the second year of a renewal biennium, the licensee shall complete one half of the hours as outlined in Section 9 of this administrative regulation prior to the renewal of his license.

Section 13. Verification of Licensure. An individual desiring verification of a dental license shall:

- (1) Submit a signed and completed “Verification of Licensure Form”; and
- (2) Pay the fee required by administrative regulation.

Section 14. Duplicate Licenses. An individual desiring a duplicate dental license shall:

- (1) Submit a signed and completed “Duplicate License Request Form”; and
- (2) Pay the fee required by administrative regulation.

Section 15. Reciprocity. Any state which grants direct reciprocity of a Kentucky licensed dentist shall enjoy the same privilege for its licensed dentists.

Section 16. Anesthesia Permits.

Section 17. Issuance of Initial Licensure. Once an applicant has completed the requirements for licensure the board shall:

- (1) Issue a license in sequential numerical order; or
- (2) Deny licensure due to a violation of KRS Chapter XXX or the administrative regulations promulgated thereunder.